

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74945 of 2023

Arising Out of PS. Case No.-69 Year-2022 Thana- MAHILA P.S. District- Sheikhpura

1. Sushila Devi Wife Of Ramashish Pandit R/O Village- Belauni, P.S.- Korma, District- Sheikhpura
2. Shyama Devi @ Rama Devi Wife Of Rajo Pandit R/O Village- Belauni, P.S.- Korma, District- Sheikhpura
3. Asha Devi Wife Of Anil Pandit R/O Village- Belauni, P.S.- Korma, District- Sheikhpura

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Bipin Kumar, Advocate

For the Opposite Party/s : Mr.Narsingh Tanti, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-11-2023 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offence punishable under sections 341, 323, 379,354B and other ancillary sections of the Indian Penal Code.

3. As per the prosecution case, on the alleged date and time of the occurrence, all the FIR named accused persons including these petitioners assaulted the informant and her family members with lathi, danda, iron rod. Petitioner no. 1 snatched gold chain from informant's dewar.

4. It is submitted on behalf of the petitioners that there is long standing land dispute between the parties for which



Title Suit No. 4/2007 and 77/2023 is pending between them. Present case is counter blast of Korma Police Station Case No. 141 of 2022. Allegation of assault is general and omnibus against these petitioners and no specific overt act has been alleged against them. Moreover, F.I.R. has been lodged after inordinate delay of four days without any explanation which renders the entire prosecution case doubtful. Petitioners and ladies and claim clean antecedent.

5. Considering the aforesaid facts of the case, prayer for bail of all the petitioners is allowed. In the event of arrest/surrender within six weeks from today, let these petitioners, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Sub Divisional Judicial Magistrate, Sheikhpura in Sheikhpura Mahila Police Station Case No. 69 of 2022, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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